

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 21-25 are currently pending. Claims 21 and 25 are independent, Claims 21, 23 and 24 are hereby amended. No new matter has been introduced. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §112

Claim 24, which was rejected under 35 U.S.C. §112, second paragraph, has been amended, thereby obviating the rejection.

III. REJECTIONS UNDER 35 U.S.C. §102(b)

Claims 21-25 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,122,875 to Raychaudhuri et al.

Claim 21 recites, *inter alia*:

“...selecting means for selecting a decoded signal corresponding to a coded signal which is in the decoding process of said decoding means;

wherein said decoding means decodes each of said coded signals according to the respective decoded signal selected by said selecting means.” (emphasis added)

As understood by Applicant, U.S. Patent No. 5,122,875 to Raychaudhuri et al. relates to an apparatus for encoding/decoding a HDTV signal for terrestrial transmission, which includes a compression circuit responsive to high definition video source signals for providing hierarchically layered codewords CW representing compressed video data and associated codewords T, defining the types of data represented by the codewords CW. A priority selection circuit, responsive to the codewords CW and T, parses the codewords CW into high and low priority codeword sequences wherein the high and low priority codeword sequences correspond to compressed video data of relatively greater and lesser importance to image reproduction.

Applicant submits that nothing has been found in the cited portions of U.S. Patent No. 5,122,875 to Raychaudhuri et al. (hereinafter, merely “Raychaudhuri”) that would disclose or suggest the above-identified features of claim 21.

Specifically, the Office Action contends that the controller 302 disclosed in Raychaudhuri anticipates the selecting means of claim 21. Applicant respectfully submits that the controller 302 does not perform the function of the selecting means as recited in claim 21. Indeed, the claimed selecting means selects a decoded signal corresponding to a coded signal which is in the decoding process of said decoding means. The controller 302 merely controls VLD 308 and does not select a decoded signal. (See Raychaudhuri column 19, lines 4-20) Therefore, Applicant submits that claim 21 is patentable.

Independent claim 25 is similar in scope and believed to be patentable for similar reasons.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By Thomas F. Presson
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800